



Arkansas Department of Higher Education

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Asa Hutchinson
Governor

Dr. Brett Powell
Director

March 7, 2016

The Honorable Larry Teague, Chair
The Honorable Lane Jean, Chair
Joint Budget Committee
State Capitol Building
Little Rock, AR 72201

Dear Senator Teague and Representative Jean:

Please accept this as a formal request to amend various special language sections for the following institutions.

Arkansas State University

1. This request is to add a Special Language section to amend the Arkansas Code.

SECTION XX. SPECIAL LANGUAGE — CODE AMENDMENT. Arkansas Code § 6-61-522(a), concerning limitations on operations of community colleges, is amended to read as follows:

(a)(1) A community college or technical college formed shall not construct, maintain, or operate a dormitory or barracks to house students or levy or collect a tax for a dormitory or barracks to house students except as provided under subdivision subdivisions (a)(2) and (3) of this section.

(2) A community college or technical college may construct, maintain, or operate a dormitory or barracks to house students if:

(A) The board of trustees of the community college or technical college approves of the construction of the dormitory or barracks;

(B) The community college or technical college operates a law enforcement training academy or fire training academy; and

(C) The dormitory or barracks are used to house students enrolled in the law enforcement training academy, fire training academy, or paramedic program.

(3) The Arkansas State University System are exempt from the limitations stated in subdivision (a)(1) of this section.

Arkansas State University Mid-South

2. This request is to revise special language section to the Mid-South Community College Appropriation Bill.

SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADTEC/UNIVERSITY CENTER PARTNERS - TRAINING CONSORTIUM ADVICE. ~~The Mid-South Community College~~ Arkansas State University Mid-South upon counsel with and advice from the Arkansas Delta Training and Education Consortium (ADTEC) shall disburse funds from the ADTEC/UNIVERSITY CENTER PARTNERS appropriation authorized in this Act to selected University Center Partners and also the participating ADTEC Partners.

The provisions of this section shall be in effect only from July 1, ~~2015~~-2016 through June 30, ~~2016~~ 2017.

3. This request is to add a Special Language section to amend the Arkansas Code SECTION XX. SPECIAL LANGUAGE — CODE AMENDMENT. Arkansas Code § 6-62-314(4), concerning a construction project exemption for certain institutions of higher education, is repealed.

~~(4) Mid-South Community College;~~

4. This request is to add a Special Language section to amend the Arkansas Code SECTION XX. SPECIAL LANGUAGE — CODE AMENDMENT. Arkansas Code § 6-63-305(b)(11), concerning the maximum number of new additional positions, is amended to read as follows:

(11) ~~Mid-South Community College~~ Arkansas State University Mid-South 75

5. This request is to add a Special Language section to amend the Arkansas Code SECTION XX. SPECIAL LANGUAGE — CODE AMENDMENT. Arkansas Code § 19-4-906(a)(098), concerning the maximum number of passenger motor vehicles, is amended to read as follows:

(098) ~~Mid-South Community College~~ Arkansas State University Mid-South 15

6. This request is to add a Special Language section to amend the Arkansas Code SECTION XX. SPECIAL LANGUAGE — CODE AMENDMENT. Arkansas Code § 19-5-303(v), concerning institutions of higher education funds, is amended to read as follows:

(v)(1) ~~Mid-South Community College~~ Arkansas State University Mid-South Fund. There is established on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a fund to be known as the "~~Mid-South Community College~~ Arkansas State University Mid-South Fund".

(2) ~~The Mid-South Community College~~ Arkansas State University Mid-South Fund shall be used for the maintenance, operation, and improvement of ~~Mid-South Community College~~ Arkansas State University Mid-South.

(3) The ~~Mid-South Community College~~ Arkansas State University Mid-South Fund shall consist of:

- (A) Those general revenues as may be provided by law;
- (B) Those special revenues as set out in § 19-6-301(183); and
- (C) Any other funds made available for the support of ~~Mid-South Community College~~ Arkansas State University Mid-South which are required to be deposited into the State Treasury by law.

7. This request is to add a Special Language section to amend the Arkansas Code SECTION XX. SPECIAL LANGUAGE — CODE AMENDMENT. Arkansas Code § 19-11-220(a)(23), concerning agency procurement officials, is amended to read as follows:

(23) ~~Mid-South Community College~~ Arkansas State University Mid-South;

8. This request is to add a Special Language section to amend the Arkansas Code SECTION XX. SPECIAL LANGUAGE — CODE AMENDMENT. Arkansas Code § 23-111-505(b)(1), concerning additional racing days for the benefit of indigent patients, is amended to read as follows:

(b)(1) All revenue derived from the pari-mutuel tax at the fifteen (15) additional days of racing authorized by subsection (a) of this section after moneys have been remitted by the franchise holder to ~~Mid-South Community College~~ Arkansas State University Mid-South as provided by § 23-111-517 shall be deposited with the Treasurer of State as special revenue for credit to the Indigent Patient's Fund, to be used by Mississippi County, Poinsett County, Cross County, St. Francis County, and Lee County to defray the cost of hospitalization and other medical services of indigent Arkansas patients in healthcare facilities for which the county has not received total reimbursement.

9. This request is to add a Special Language section to amend the Arkansas Code SECTION XX. SPECIAL LANGUAGE — CODE AMENDMENT. Arkansas Code § 23-111-517(a), concerning the disposition of pari-mutuel tax revenue, is amended to read as follows:

(a) Each year, the first eighty-five thousand dollars (\$85,000) of the pari-mutuel tax revenue derived from § 23-111-505(a) shall be remitted directly to ~~Mid-South Community College~~ Arkansas State University Mid-South and shall be used by the college for facilities, programming, and personnel in the support of a nursing program.

National Park College

This request is to add a special language section to the National Park Community College Appropriation Bill.

10. This request is to add a Special Language section to amend the Arkansas Code

SECTION XX. SPECIAL LANGUAGE — CODE AMENDMENT. Arkansas Code § 6-5-302 is amended to read as follows:

6-5-302. Allocation and transfer of funds.

From the moneys accruing to the Educational Excellence Trust Fund, the Treasurer of State on the last day of the month shall transfer to the various funds and fund accounts listed below, the amounts determined by applying each fund or fund account's proportionate part of the total of all such allocations set forth in this section to the amount available for distribution as determined in § 6-5-301:

Fund or Fund Accounts	FISCAL YEAR ENDING	
	June 30, 2002	June 30, 2003 & Thereafter
Department of Education Public School Fund Account	\$161,935,727	\$164,138,382
Department of Career Education Public School Fund Account	9,518,085	10,032,555
Department of Education Fund Account	762,901	804,138
Department of Career Education Fund Account	2,856,557	3,010,965
Higher Education Grants Fund Account	10,499,767	11,067,322
School for Math, Science, and Arts Fund	0	5,988,465
Institutions of Higher Education:		
Arkansas State University Fund	4,797,713	5,057,049
Arkansas Tech University Fund	1,608,226	1,695,157
Henderson State University Fund	1,663,634	1,753,560
Southern Arkansas University Fund	983,576	1,036,743
University of Arkansas Fund	11,905,301	12,548,830
University of Arkansas at Little Rock Fund	4,224,809	4,453,177
University of Arkansas Medical Center Fund	7,274,293	7,667,498
University of Arkansas Medical Center Fund - Indigent Care	181,013	190,797
University of Arkansas at Monticello Fund	848,858	894,742
University of Arkansas at Pine Bluff Fund	1,473,599	1,553,253
University of Central Arkansas Fund	3,661,359	3,859,270
Arkansas State University-Beebe Fund	1,144,646	1,206,518
East Arkansas Community College Fund	599,022	631,401
National Park Community College Fund	895,921	944,349
Arkansas Northeastern College Fund	573,810	604,827
North Arkansas College Fund	353,775	372,898
Northwest Arkansas Community College Fund	791,763	834,581
Phillips Community College of Univ. of Ark. Fund	583,368	614,899
Rich Mountain Community College Fund	158,120	166,667
SAU-Tech Fund	256,801	270,683
South Arkansas Community College Fund	409,688	431,833
University of Arkansas at Fort Smith Fund	2,437,691	2,569,458
TOTAL INSTITUTIONS OF HIGHER EDUCATION	\$ 46,826,984	\$ 49,358,170

11. This request is to add a Special Language section to amend the Arkansas Code

SECTION XX. SPECIAL LANGUAGE — CODE AMENDMENT. Arkansas Code Title 6, Chapter 58 is amended to read as follows:

Chapter 58 — National Park Community College

6-58-101. Definitions.

As used in this chapter:

(1) "Adult education program" means any classes designed to assist students in preparing for a high school equivalency test, any class designed to improve performance in general basic skills, parenting, English proficiency, or other areas funded by the Adult Education Section of the Department of Career Education; and

(2) "Applied general education courses" means courses from mathematics, communications, social sciences, and similar fields specifically addressing the employment needs of students in one (1) or more occupational programs.

6-58-102. Name change and merger.

(a) Effective July 1, 2003, Garland County Community College is renamed National Park Community College, and the Garland County Community College District is renamed National Park Community College District.

(b) Effective July 1, 2003, Quapaw Technical Institute is merged with and into National Park Community College.

(c) National Park Community College is an institution of higher education and is subject to the laws governing community colleges, except as otherwise provided in this chapter.

6-58-103. Board of trustees.

(a)(1) The board member of Quapaw Technical Institute serving on June 30, 2003, and whose term is to expire in 2003, shall become a member of the Board of Trustees of National Park Community College on July 1, 2003, and the term of the board member shall expire on December 31, 2004.

(2) The board members of the Quapaw Technical Institute serving on June 30, 2003, and whose terms are to expire in 2004 and 2005 shall become members of the Board of Trustees of National Park Community College on July 1, 2003, and their terms shall expire on December 31, 2006.

(3) The board members of Quapaw Technical Institute serving on June 30, 2003, and whose terms are to expire in 2006 and 2007 shall become members of the Board of Trustees of National Park Community College on July 1, 2003, and their terms shall expire on December 31, 2008.

(b)(1) The trustees of the Garland County Community College serving on June 30, 2003, and whose terms expire on December 31, 2004, shall become members of the Board of Trustees of National Park Community College on July 1, 2003, and their terms shall expire on December 31, 2004.

(2) The trustees of the Garland County Community College serving on June 30, 2003, and whose terms expire on December 31, 2006, shall become members of the Board of Trustees of National Park Community College on July 1, 2003, and their terms shall expire on December 31, 2006.

(3) The trustees of the Garland County Community College serving on June 30, 2003, and whose terms expire on December 31, 2008, shall become members of the Board of Trustees of National Park Community College on July 1, 2003, and their terms shall expire on December 31, 2008.

(c)(1) Three (3) trustees of National Park Community College shall be elected at the 2004 general election in the same manner and for the same terms as prescribed in § 6-61-520.

(2) Three (3) trustees of National Park Community College shall be elected at the 2006 general election in the same manner and for the same terms as prescribed in § 6-61-520.

(3) Three (3) trustees of National Park Community College shall be elected at the 2008 general election in the same manner and for the same terms as prescribed in § 6-61-520.

(d) No vacancy on the Board of Trustees of National Park Community College shall be filled until the number of remaining board members of National Park Community College with terms expiring on the same date equals two (2) or fewer.

6-58-104. Effect of merger on employees.

(a)(1) All permanent nonprobationary employees of Quapaw Technical Institute or Garland County Community College on June 30, 2003, shall become employees of National Park Community College on July 1, 2003.

(2) A person who was a permanent nonprobationary employee of Quapaw Technical Institute or Garland County Community College on June 30, 2003, shall be employed by National Park Community College at least until July 1, 2008, if:

- (A) Job performance is satisfactory;
- (B) Student enrollment in programs is satisfactory; and
- (C) Student job placements are satisfactory.

(b)(1)(A) By January 31, 2004, employees who were employed on June 30, 2003, by Garland County Community College or Quapaw Technical Institute shall have the right to make a one-time choice between:

(i) The National Park Community College Health Insurance Plan, which was formerly known as Garland County Community College Health Insurance Plan; or

(ii) The health insurance plan adopted by the State and Public School Life and Health Insurance Board for state employees.

(B) An employee who was employed by Quapaw Technical Institute on June 30, 2003, shall be entitled to remain in his or her same retirement system under the same conditions then provided by law or as may later be provided by law.

(2) The Board of Trustees of National Park Community College shall promulgate rules and regulations establishing the procedure for employees to exercise benefit options under this subsection.

(c)(1) Until the later of July 1, 2008, or the date a reorganization that guarantees the importance and position of technical education is adopted by the Board of Trustees of National Park Community College, the President of the Quapaw Technical Institute as of June 30, 2003, shall be the Vice President for Technical Education at National Park Community College.

(2) The employee who was the President of the Quapaw Technical Institute as of June 30, 2003, shall retain and continue to receive:

(A) All options, rights, and benefits of employment granted in subsection (b) of this section; and

(B) Any transportation benefits that accompanied the position of President of the Quapaw Technical Institute.

(d) An employee who was a member of the faculty of Quapaw Technical Institute on June 30, 2003, shall be deemed qualified to teach in the same level programs at National Park Community College if:

- (1) The faculty member's job performance is satisfactory;
- (2) Student enrollment is satisfactory; and
- (3) Student job placements are satisfactory.

6-58-105. Sick leave.

The employees of National Park Community College shall be entitled to lump sum payment for unused sick leave under a program similar to that authorized by §§ 21-4-501 and 21-4-502 [repealed].

6-58-106. Catastrophic leave program.

National Park Community College shall establish a catastrophic leave program for all permanent employees. The program shall be similar to that authorized under § 21-4-214.

6-58-107. Effect of merger on curriculum.

(a)(1) National Park Community College shall offer the option of:

(A) Applied general education courses in occupational certificate and associate degree programs now offered by Quapaw Technical Institute; and

(B) Where appropriate to the program involved, programs now offered by Garland County Community College.

(2) Students in the programs involved also may be offered the options of college transfer general education courses in addition to the option of applied general education courses.

(b) Without regard to the higher average cost of occupational programs, all current Quapaw Technical Institute programs shall continue to be offered by National Park Community College for as long as they meet industry needs and are fiscally effective.

(c) All adult basic education, high school equivalency tests, and high school programs currently provided by Quapaw Technical Institute or the Garland County Community College shall continue at National Park Community College.

(d) Existing certificate and degree programs now offered at Quapaw Technical Institute or Garland County Community College shall continue to be authorized for National Park Community College until the Arkansas Higher Education Coordinating Board determines that the programs do not meet minimum standards of quality and cost-effectiveness.

6-58-108. Purchasing.

(a) Purchases by National Park Community College shall continue to be made under procedures which were applicable to Garland County Community College or may be made under procedures that were applicable to Quapaw Technical Institute.

(b) Flexibility in shop purchases, parts, and house construction programs shall continue in the same manner as authorized for the original institutions.

6-58-109. Transfer of assets, obligations, records, personnel, property, unexpended balances, and legal authority.

(a) On July 1, 2003, all property and other rights, claims, and assets of the Quapaw Technical Institute are transferred to National Park Community College.

(b) On July 1, 2003, all obligations of the Quapaw Technical Institute become obligations of National Park Community College.

(c) On July 1, 2003, all records, personnel, property, unexpended balances of appropriations and funds, and all legal authority will transfer from the Quapaw Technical Institute to National Park Community College.

(d) All cash fund balances of Quapaw Technical Institute transferred to National Park Community College shall be used for the operation, support, and improvement of occupational, vocational, technical, and work force development programs of National Park Community College.

6-58-110. Work Force 2000 funding.

Funding from the Work Force 2000 Development Fund which would have been provided to Quapaw Technical Institute shall be provided to National Park Community College to fund work force development, vocational, occupational, and training programs offered by National Park Community College.

6-58-111. Funding for salary equity.

In that funding for and achievement of salary equity among employees of National Park Community College is essential for the successful merger of Quapaw Technical Institute into National Park Community College, this chapter shall become void if, prior to May 1, 2003, the board of either Garland County Community College or Quapaw Technical Institute determines that funds are not available to achieve salary equity.

6-58-112. Conversion of positions and maximum salaries for Quapaw Technical Institute.

The maximum salaries as authorized for the positions in the appropriations act for Quapaw Technical Institute shall be converted to the maximum salaries for the equivalent or similar positions as authorized in the appropriations act for Garland County Community College. The conversion of the maximum salaries shall be approved by the Department of Higher Education for line item salaries or by the Department of Finance and Administration for classified salaries and be reported to the Legislative Council.

6-58-113. Employee health insurance plan.

(a) The Board of Trustees of National Park Community College may determine each year whether to offer employees of National Park Community College more than one (1) health insurance plan from which to choose.

(b) If more than one (1) health insurance plan is authorized by the Board of Trustees of National Park Community College, a permanent employee of the college may annually elect to enroll in:

(1) The National Park Community College Health Insurance Plan, if a plan is adopted by the Board of Trustees of National Park Community College; or

(2) The health insurance plan adopted by the State and Public School Life and Health Insurance Board for state employees, if the Board of Trustees of National Park Community College authorizes college employees to participate in the plan subject to the conditions and rates established by the State and Public School Life and Health Insurance Board.

(c) The election under subsection (b) of this section must be made:

(1) At the time of initial employment by the college; or
(2) During the applicable annual open enrollment period for the health insurance plan.

(d) An election under subsection (b) of this section is effective for the health insurance plan year and may not be altered until the following annual open enrollment period for the health insurance plan.

12. This request is to add a Special Language section to amend the Arkansas Code

SECTION XX. SPECIAL LANGUAGE — CODE AMENDMENT. Arkansas Code § 6-61-1201(a), concerning the creation, duties, and funding of the Southwest Arkansas Higher Education Consortium, is amended to read as follows:

(a) There is created the Southwest Arkansas Higher Education Consortium, composed of Cossatot Community College of the University of Arkansas, National Park Community College, Henderson State University, Ouachita Technical College, Pulaski Technical College, Rich Mountain Community College, Southern Arkansas University, SAU-Tech, and South Arkansas Community College, to establish and utilize high bandwidth connectivity within the consortium.

13. This request is to add a Special Language section to amend the Arkansas Code

SECTION XX. SPECIAL LANGUAGE — CODE AMENDMENT. Arkansas Code § 6-62-314 is amended to read as follows:

6-62-314. Construction project exemption.

The following state-supported institutions of higher education shall be exempt as allowed by § 19-4-1415(b)(5) for construction projects exceeding five million dollars (\$5,000,000) if they have adopted policies and procedures in compliance with state law involving the awarding and oversight of the contracts for design and construction services:

- (1) Henderson State University;
- (2) Southern Arkansas University — Magnolia;
- (3) University of Central Arkansas;
- (4) Mid-South Community College;
- (5) National Park Community College;
- (6) Northwest Arkansas Community College; and
- (7) Rich Mountain Community College.

14. This request is to add a Special Language section to amend the Arkansas Code

SECTION XX. SPECIAL LANGUAGE — CODE AMENDMENT. Arkansas Code § 6-63-305(b)(9), concerning the maximum number of new additional positions, is amended to read as follows:

- (9) National Park Community College

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15. This request is to add a Special Language section to amend the Arkansas Code

SECTION XX. SPECIAL LANGUAGE — CODE AMENDMENT. Arkansas Code § 19-4-906(a)(099), concerning the maximum number of passenger motor vehicles, is amended to read as follows:

(099) National Park Community College

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16. This request is to add a Special Language section to amend the Arkansas Code

SECTION XX. SPECIAL LANGUAGE — CODE AMENDMENT. Arkansas Code § 19-5-303(ee), concerning institutions of higher education funds, is amended to read as follows:

(ee)(1) National Park Community College Fund. There is established on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a fund to be known as the "National Park Community College Fund".

(2) The National Park Community College Fund shall be used for the maintenance, operation, and improvement of National Park Community College.

(3) The National Park Community College Fund shall consist of:

(A) Those general revenues transferred each month from the Garland County Community College Fund;

(B) The June 30, 2003, balances in the Garland County Community College Fund; and

(C) Any other funds made available for the support of National Park Community College which are required to be deposited into the State Treasury by law.

17. This request is to add a Special Language section to amend the Arkansas Code

SECTION XX. SPECIAL LANGUAGE — CODE AMENDMENT. Arkansas Code § 19-11-220(a)(21), concerning agency procurement officials, is amended to read as follows:

(21) National Park Community College;

UA – Criminal Justice Institute

This request is to revise the highlighted section below for Special Language Section 15 of the University of Arkansas – System and Various Divisions Appropriation Bill.

18. Revised Special Language Section:

SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CRIMINAL JUSTICE INSTITUTE TRANSFER PROVISION. Immediately upon the effective date of this Act the Chief Fiscal Officer of the State, Treasurer of State and Auditor of State shall transfer on their books the sum of one hundred fifty thousand dollars (\$150,000) from the Special State Assets Forfeiture Fund to the University of Arkansas Fund for allocation to the Criminal Justice Institute for

education and training to assist the criminal justice community in addressing the ~~landscaping methamphetamine illicit drug~~ activities in the State.

The provisions of this section shall be in effect only from July 1, ~~2015~~ 2016 through June 30, ~~2016~~ 2017.

University of Arkansas for Medical Sciences

This request is to revise the highlighted section below for Special Language Section 35 of the University of Arkansas for Medical Sciences Appropriation Bill.

19. Revised Special Language Section:

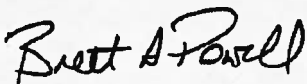
SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STIPENDS. The University of Arkansas for Medical Sciences is hereby authorized to pay stipends to students engaged in post-graduate clinical training in accredited programs of the University of Arkansas for Medical Sciences, from "Regular Salaries" or "Maintenance and General Operation", as follows:

	Maximum Number Of Positions	Annual Stipend
	2015-2016	2015-2016
	<u>2016-2017</u>	<u>2016-2017</u>
Housestaff	200	
AHEC Housestaff	190	

1. Residents \$65,373
2. Interns \$50,923

The provisions of this section shall be in effect only from July 1, ~~2015~~ 2016 through June 30, ~~2016~~ 2017.

Thank you for consideration of the above request.
Sincerely,



Brett A. Powell, Ed.D. Director

